



October 5, 2004

NOTICE TO THE TRADE

United States
Department of
Agriculture

Marketing and
Regulatory
Programs

Agricultural
Marketing
Service

Washington, DC
20250

The waiver for the Non-Manufacture Rule for the following commodities has already expired:

Canned Fruit in #2, #2-1/2, #10, #300 & #303

- Fruit Cocktail
- Mixed Fruit
- Clingstone Peaches
- Pineapple (all styles except tidbit/cube)
- Cranberry Sauce

Fresh Fruit

- Grapefruit (34-39 lb carton)

Canned Vegetable in #1, #10 & #300

- Peas
- Whole Corn (#10 only)
- Mixed Vegetables
- Vegetable Soup

Vacuum Packed Vegetable

- Whole Corn (75oz pack)

Frozen Vegetable

- Green Peas (30 lb container)
- Potato Rounds

Therefore, small businesses engaged in small business set-aside programs (8(a)) are not allowed to provide the product of large processors to fulfill the government contracts. The Agricultural Marketing Service (AMS), Fruit and Vegetable (FV) Programs, Commodity Procurement Branch (CPB), is now in the process of submitting a new waiver request for Non-Manufacture Rule for the above-listed commodities to the Small Business Administration.

The following commodities are still in the list of the Non-Manufacture Rule that had been approved for waiver indefinitely:

- Canned Tomato Paste
- Canned Spinach

- Canned Apricots
- Canned Citrus Sections

Please feel free to contact the AMS, FV-CPB at telephone (202) 720-4517 for any questions or comments.

Sincerely,

Michelle E. Warren
Acting Chief
Commodity Procurement Branch
Fruit and Vegetable Programs

